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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,416	11/14/2003	Stephen Venditti	10306.70000US00/SJH	2730

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Steven J. Henry  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2161

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/713,416

Applicant(s)

VENDITTI ET AL.

Examiner

Etienne P. LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*Claim Status*

Claims 1-54 are pending. Claims 1-54 are rejected as detailed below.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-45 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 5,222,234 issued to Wang et al (hereafter Wang).

Claims 1, 17, 33:

Wang discloses:

(A) executing a search query on the data collection to produce at least one search result, the search query specifying at least one criterion, each of the at least one search results representing a resource which satisfies the at least one criterion [saving the search criteria and results of applying the search criteria, col 2, lines 5-10]

(B) after executing the search query, providing an input mechanism by means of which a user may select from among the search results, for preservation at least one resource represented

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by a search result [maximum number of documents which may be selected, col 4, line 58, Fig 10, col 8, lines 50-55, col 5, lines 50-55, assume maximum number = 1]

(C) executing, in response to the user's selection, a command to preserve the selected at least one resource in a system location [local storage 20, col 3, lines 5-10]

Claims 2, 18, 34:

Wang discloses wherein the system location comprises a folder [col 3, line 64 through col 4, line 5].

Claims 3, 19, 35:

Wang discloses wherein the folder is created based on input provided by the user [col 3, line 64 through col 4, line 5]

Claims 4, 20, 36:

Wang discloses wherein the folder is implemented via an indication stored in at least one persistent data store [col 3, lines 48-63].

Claims 5, 21, 37:

Wang discloses wherein the act (A) further comprises each of the at least one search results representing a resource by providing an identifier which facilitates access to the resource [col 5, lines 1-10].

Claims 6, 22, 38:

Wang discloses wherein the act (C) further comprises exporting the preserved resource [retrieve documents, col 2, lines 50-55]

Claims 7, 23, 39:

Wang discloses wherein the act (C) further comprises exporting the preserved resource to at least one of a CD-ROM or a paper copy [col 6, lines 30-40].

Claims 8, 24, 40:

Wang discloses wherein the act (C) is performed in at least one of a manual and semi-automated manner [col 3, lines 48-58]

Claims 9, 25, 41, 42, 43:

Wang discloses wherein the act (C) further comprises copying the selected at least one resource from the system location to a second system location [col 3, lines 48-58]

Claims 10, 26:

Wang discloses wherein the act (C) is performed in response to a command provided by a user [col 3, lines 48-58]

Claims 11, 27:

Wang discloses wherein the act (C) is performed by creating a relationship in at least one persistent data store between each of the selected at least one resources and the second system location [document relation object 42, Fig 2]

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Claims 12, 28:

Wang discloses wherein the act (C) further comprises moving the selected at least one resource from the system location to a second system location [col 3, lines 47-57]

Claim 13, 29:

Wang discloses wherein the act (C) is performed in response to receiving a command provided by a user [col 3, lines 47-57]

Claims 14, 30,

Wang discloses wherein the act (C) is performed by creating a relationship in at least one persistent data store between each of the selected at least one resources and the second system location [col 3, lines 47-57].

Claims 15, 31, 44:

Wang discloses wherein the user is a human operator [col 3, lines 47-57]

Claims 16, 32, 45:

Wang discloses wherein the at least one criterion is provided by the user [col 3, lines 47-57].

Claims 46-54 can be rejected on a similar basis as claims 1-45.

***Response to Arguments***

Applicant's arguments filed 8/28/2006 have been fully considered but they are not persuasive for the reasons given below.

**Applicant Argues:**

Applicant states in the second paragraph of page 11 "The Office Action contends that the ACO satisfies the claim 1 limitation of providing an input mechanism by means of which a user may select for preservation at least one resource represented by a search result. The Office Action contends that the DRO satisfies the claim 1 limitation of executing a command to preserve a selected resource represented by a search result in a system location. Neither of these contentions is supported by the reference."

**Examiner Responds:**

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., executing a command to preserve a selected resource represented by a search result in a system location) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, applicant is referred to above Office action where the claim limitations are mapped to the disclosure of Wang.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

10/31/2006

A handwritten signature in black ink, appearing to read "E. P. LeRoux".

Primary Examiner